

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

RICKY LEE HANKINS,  
Plaintiff,

Civil Action No. 7:11-cv-00127

v.

MR. BOEHNS, et al.,  
Defendant(s).

ORDER

By: Hon. Jackson L. Kiser  
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

**ORDERED**

that the complaint is **DISMISSED without prejudice**; plaintiff's motion to amend is **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his claims in a new and separate action at the time he can pay the \$350 filing fee or file the necessary documents to proceed in forma pauperis.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to plaintiff.

ENTER: This 12<sup>th</sup> day of September, 2011.

*Jackson L. Kiser*  
Senior United States District Judge